App. F. IX-4

1955-56.
(ITB.)

File No. 18-55

Previous References.

ITB. 1-52-157.
ITB. 18-55-57

Serial Nos. 63, 70, 115, 177, 218, 415

Later References.

LHH & CTB 57

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 6

R 452 E

Part B for April 1956

SUBJECT

Disposal of Bungalow Site No. 4 in Block 7 and College Site No. 4 in Block W & Kumarapark West Extension. —

L 1046 18. H. 56.

Sri A. Mariappa
Assistant Commissioner
444 Nehru Nagar Bangalore 3.

Rejects the petition —

~~G. S. APP. F. III—11~~

581 lo

MYSORE GOVERNMENT SECRETARIAT.

( )

NOTES.

File No.

FILE HEADING,

FROM Sri A. Mariappa BA.

Assistant Commissioner on Leave

No. — Dated 14. 8. 55 Received 23. 8. 55.

Diary No. 3482 | Enclos. — Spare copies — | Serial No.

BRIEF ABSTRACT OF LETTER

Disposal of site reo 4 in Block I - College Site reo 4 in Block IV of Kumara Park West Extension —

NOTES AND ORDERS.

1) Orders of the Minister for LSG and Public Health
" LSG Secy.
A report may be called for from the Chairman, Trust Board, Bangalore."

DD (TC) 17. 8. 55.

2) Draft letter to the Chairman city DTCB Bangalore put up for kind approval

R 24/8/55

3) Issued

Issued to the chairman city DTCB Bangalore for a report

L 6578 DTCB 18-55-78 29/8/55

Leave returned

Notes—First Sheet

WD—03552—GPB—10,000—10-7-53

Disposal of site No 4 in Block I Cottage
Site No 7 in Block IV of K ...

File No. 3482 of 195 Mysore Government Secretariat

Park Way Extension — Representation of Sri ... Manager

Letter No H3.PR 587/55-6 dated 4.10.55 from the Chairman B.T.B forwarding opinion

Letter — 4) The Chairman B.T.B states that the question of payment of compensation towards the acquisition of land belonging to the petitioner in Palace Guttahalli consequent on the formation of Vyalikaval Extension is pending before the High Court. Hence no action can be taken now on this point.

5) As regards the purchase of two sites by the petitioner in Public Auction the Chairman B.T.B has explained in detail the full of facts in his letter under disposal (at Paras 4 and 5). The Chairman states that as the petitioner has purchased the sites in Public Auction, he is bound by the Auction rules and conditions. He further states that a new Road has been formed on the western side of site No 4 in Block (one of the two sites purchased by the petitioner) and that this formation of Road has given the additional prominence to the site.

6) He finally states that the petitioner is adopting delaying tactics and that at this distance of time the request of the petitioner under any circumstances be considered as tenable and requests that his action to dispose of the two sites in Public Auction on 12-10-55 may be approved.

7. In this connection kind reference is invited to Govt Order No. L 5974/HB 18-55-56 dated 22.8.55 ordering that the sites may be sold in auction and hold the party liable for the loss in auction to

Serial No.

forfeiting the earnest amount deposited by the party.

8) for orders (Ref. para 1- supra).

Rejd 352

Mg 7/10

9) Has Govt powers to interfere in a case in which the bidder has failed to pay Site value. Pl examine this point with regard to the Provisions of the Urist Act and also with regard to the Sale notification

10/10

please see link ref. file bearing D. No 4891/10

Mg 10/10

Submitted:- 10) According to Condition of sale (Clause 9) item No (2) viz the Sale is subject to the Confirmation of the Bangalore City Improvement Trust Board. Govt cannot interfere in a case where the bidder has failed to pay.

11) According to the 29 Resolution(s) of the City of Bangalore Improvement Act the Board have power to sell and otherwise convey with or without any Condition any movable or immovable property which may have become vested in or acquired by them.

For favour of kind perusal.

Rejd 11

12) The previous Sale notification and a report on the result of the auction held some time back with definite remarks of the

Note.—Contn. Sheet

Dr. from site no 4 in Block 16

File No. 3482/Ag. U. I. M4 — 7 in Block 16 of 195 — Kumara P

Mysore Government Secretariat

Serial No.

chairman as to what further action is necessary to recover the loss, if any, from Sri. Mariappa consequent on the re-auction of site & the amount realised, may be called for now = Orders with reference to para 9

Ms 28/11

(13) yes

3/12

Submitted:- 14) Draft letter to the chairman BTDB is prompt for issue approval — 15) Issued

16/12

Ms 8/12

Issued to the chairman BTDB transfer C. 11433/BTDB 18-55-17 / 15.12.55

Letter No. A3.PR 784/55-6 dated 12/15.12.55 from the chairman Bangalore Imp Board. Representation from Sri A. Mariappa dated 6.9.55.

16) Orders of the Minister for PH & LAD on the representation of Sri A. Mariappa

"L.S.G. Dep" 933 (TC). 22.11.55.

Submitted:- ~~The chairman~~ 17) Sri A. Mariappa in his representation dated 6.9.55 has stated that he has paid a sum of Rs 6,300 on 5.9.55 being a portion of the balance of purchase value and that he has requested the chairman to grant him time till he can dispose his sites is finally settled. He has requested

separate report will be called for in the listed file — Please see listed file. Ms 28/11

File No 4891 re Listed site in this file is disposed as final orders have been passed & recommended file. R 8/12

Serial No.

that the Sale of the site ordered to be Cancelled by the Chairman BTS may be stayed

18) Since the order was cancelled on 2.10.55 by the Chairman BTS and since the applicant and his wife have again offered bids in the auction No further action on the representation of Sri Bhandy seems to be necessary.

19) The detailed report of the chairman BT.B. regarding the sale Cancelled in respect of site Nos. 4 in Block III and 7 in Block IV as per orders of this Govt in Letter No. L 5974/HHS 18-55-56 dated 8.8.55 is forwarded herewith

Flag 'X' Yellow HHS 18-55,4,5657

20) The loss on account of the resale of site is reported to be Rs 9916-2-6 as detailed in the Chairman's report in Para (2). The Chairman BTS requests that the resolution of the Board as detailed in Paras 4 and 5 of his letter dated 15.12.55 may be approved.

21) According to condition 2 of the sale notification issued, the sale is subject to the Confirmation of the Government HHS.

Flag 'G'

22) It was ordered in letter No L 5974 HHS 18-55-58 dated 22.8.55 that the initial amounts deposited may be forfeited and the sites may be put to auction and hold the party responsible for the loss.

Flag 'X' Yellow HHS pump.

23) The only point on which orders of Govt have to be issued as regards the

Note.—Contn. Sheet

Division of the No 4 on 1 mile (one) and Sale No 7 on Blad (form) KPW in Mysore Government Secretariat

File No. 6867 of 195 . 7473

Serial No. by R 8799-140

Recommendation of the Board that the amount paid by Sri A Manappa in the Public Auction of 1951 (which has ordered to be forfeited) may be ~~retained~~ returned provided that he pays the full value of ants now purchased at the rate fixed in One month from the date of Communication of the confirmation of sale to him.

for orders

L 24/1/56 —

24) After considering all aspects of the question, the Board have passed the resolutions as noted in page 18. The Board have also made reduction for the extent of land taken over by them out of site No 1 in Kumara Park in calculating the demand. } Para 3 in page 18

The proposals as resolved by may perhaps be approved

Representation by Sri A. Manappa dated 21-12-55

Mc 3/1

25) The petition on which the Hon'ble Minister has passed orders as noted at para (1) above, contains 5 pages of typed matter and about ½ a page of written matter. The same petition had once been given to the Minister on 27-10-54, (flag 'A'); but the writing portion has been

Of Collector 18-55-4, S

added on the petition presented on 17-8-1955. Therefore, except the points noted in the hand-written portion all the points have been noted upon already and orders obtained (in the file No.1-52 JTB, vide paras 26 to 33, 52 to 54 and orders at paras 21 and 22 in file No JTB 18-55). There is no use in again noting upon the same points as orders already passed have been communicated on these points. Therefore, paras from 1 to 11 in the petition presented to the Minister on 17-8-55 have not at all been noted now. Para 12 of the representation is as follows:-

A "Subsequent to my above representation the City Improvement Trust Board have laid a road in site No.4 in Kumara Park Extension thus taking a portion of the site which I had purchased and for this reason the sale of this site has to be cancelled and this solves half the problem which is under consideration before Government.

With regard to the grant of the other site to me at an upset price(cottage site No.7), I request that the matter may kindly be referred to the present Trust Board for their opinion in the changed circumstances and Government may pass orders thereon afterwards. For which act of kindness I shall ever be grateful to you."

26) Before examining the points involved in this case it is better to know the extent to which Government can interfere in the matter of disposal of sites by auction. Section 11 of the Trust Board

Serial No.

Act lays down that the Board may compound, compromise, or sue or be sued in its corporate authority. Section 29 of the T.B.Act lays down that it shall have power to sell or otherwise convey with or without any condition any movable or immovable property which may have become vested in or acquired by them. This power of the Board is not subjected to the approval of Government. (27) Section 42, empowers the Government to make rules not inconsistent with the Act. Section 43, empowers the Board to make the byelaws. In the rules issued by Government, approval of Government is necessary whenever the site has to be given at a rate less than that fixed in respect of any layout. ~~Therefore~~ No rules are issued governing the auction of sites ~~which make such sales~~ making such auctions subject to confirmation by Government. There are certain conditions subject to which the auction of sites will be done and these are in the notification issued by the Trust Board, Flag 'G'. Even in this notification, the auction of site is subject to confirmation by the Board and not by Government. (28) With this background in view it is better to examine the request of Sri A.Mariyappa and decide to what extent Government can interfere in this affair. As the whole matter of forfeiture of 1/4 of sale amount and resale of the property in case of default by the party, is regulated by the condition of sale, it is best that the matter is

WD 0260—GPB—P. Z. S. 1,30,000—21-5-55.

Disposal of site No 4 in Block I and Site No 7

6869 Serial No. 6899

left to the Board for such decision as they think best.

(29) It is better Government do not interfere in the matter and give a decision when such decision is not mandatory according to the provisions of the Trust Board Act. Therefore the matter will be referred back to the Trust Board to take such action as it deems fit as the entire transaction is in the nature of civil litigation. This is so far as the legal aspects of the case are concerned

~~This is so far as the legal aspects of the case are concerned.~~ (30) The points in the disputed case which require examination are noted at para 25'A' as stated by the party. There are two sites involved. One is site No. 7, Block IV. The other is site No.4, Block I. Site No. 7 was auctioned by the Board on 26-5-51 for the first time. Sri Mariyappa offered a bid of Rs. 15,100/- He deposited 1/4 of the amount on 26-5-51 and failed to pay the balance of 3/4 of the amount for a period of 4 years and 4 months, i.e., from 26-6-51 to 12-10-55. The re-sale was held on 12-10-55. The amount realised was Rs. 12,283/-. In the re-sale Sri A.Mariyappa himself has purchased. In the meanwhile the Board has forfeited 1/4 of the amount according to the orders passed by Government. The party has to pay the entire bid amount. Waiving of the forfeiture of Rs.8,799-11-0, may be considered if the party makes good the loss of Rs.3,817-0-0 as per details noted in the margin.*

*Original bid amount of sale held in 1951 - Rs. 15,100
Re-sale held on 12-10-55 12,283
Rs. 3,817

With regard to site No.4, in the

Note.—Contn. Sheet

Serial No.

resale Mr.Krishna Murthy,brother of Sri A.Mariyappa has offered the highest bid of Rs.15,026-11-0. Whether this bid is for A.Mariyappa or on his own behalf is a matter which we need not consider. For our purpose Mr.Krishnamurthy has to be considered as a separate bidder. The loss on account of the resale of this site is Rs.1,689-6-0 as worked out below. The site measured 1,473 1/3 sq.yd. in 1951. A road was formed recently on one side of the site, thus providing roads on two sides for this site. According to the report of the Trust Board, the value of the site is increased because, it has been converted into a corner site. Mr. Mariyappa states that the site is reduced in value. The extent which was taken for the road is 246 2/3 sq.yds. The balance remaining for the site is 1,226 1/3 sq.yds. The rate per square yard as per first bid will be Rs. 13-10-0. The rate per sq.yd. in the 2nd bid is Rs. 12-4-0. The loss is Rs.1-6-0 per sq.yd. On the extent of 1,226 1/3 sq.yds. which is left after formation of the Road, the loss works out to Rs.(1,226 1/3 x 1-6-0) 1,689-6-0.-

The loss on site No. 7 - Rs. 3,817- 0-0
The loss on site No. 4 - Rs. 1,689- 6-0

The total loss - Rs. 5,506- 6-0

(31) With regard to interest, the Trust Board is giving interest to the Government at Rs. 5%. Therefore, the Board is right in demanding interest from the defaulters. Whether the Board had intimated the

Serial No.

recovery of interest from the party or not, is a matter which has to be considered by the Board before the levy can be enforced. But the Chairman claims interest and loss. This claim has to be examined by the Board with reference their records. However the sale notification does not state that interest will be recovered from the defaulting bidders.

(32) The contention of Sri Mariyappa is that a road has been formed in the site in respect of which he has offered a bid and thus the dimension of the site No.4, was reduced etc. The contention of Sri A.Mariyappa need not be considered because he has not offered the bid in the resale. It is one Krishnamurthy who has offered the bid. Therefore Sri Mariyappa is estopped from representing on behalf of Sri Krishnamurthy. The course opened to the Trust Board, seems to be to confirm the resale of site No.4, and to recover the loss from Sri A.Mariyappa.

(33) Taking the above facts into consideration this is purely a matter that has to be dealt with according to the sale conditions and not by way of invoking the power of Government to advise the Trust Board administratively to help Sri Mariyappa in this case. As Sri Mariyappa has not adopted a straight forward method of paying the full amount, the Board was right in dealing with him as a person who had defaulted to comply with the conditions of auction of sites.

(34) Government may however advise that the Board must strictly enforce the conditions of sale and they must

12 Disposal of (i) Bungalow site No. 4 in 1st Block and (ii) cottage site No. 7 in 8th Block IInd Cross of Upparahalli in Public auction

Mysore Government Secretariat

File No. 47356/8699/8995/7473/8658 of 1955. 1438

Law 88-56

Serial No.

not incur loss on account of this transaction. ~~The question of disposal of site No.4, after the result was held should not have been clubbed as the bidders are different.~~

(35) Taking all this into consideration, I am of opinion that Government have no power to interfere in the matter. The Law Secretary may be consulted as to the advisability of Government giving a decision.

A. Manjunatha Rao
18/1

Secy Edn & Dev

(36) For G.O. Remarks

B
21.1.56.

Law Secy.

2311

15939
19 JAN
GOVERNMENT OF MYSORE

SECRETARY
LAW DEPT.
MCH
25

2d

(37) The ad. asst will, if approved be required to minutely classify and specify the particular legal difficulty in question and the provision of law under which Govt propose to interfere in the matter.

MM
25/1/56.

Law Secy)

(38) Secretary - L.S.G.) Ch—

SECRETARY
LAW DEPT.
27 JAN
1956

2/2/56

17028
8 FEB
GOVERNMENT OF MYSORE

MD
8

Letter representation from Sri A. Manappa.

Gr. ass on the reference.

(39) Interviewed.
(M)
Refs with a note please JM(BMA) 3.2.56

Continued

7473 J 8658

Disposal of Bungalow sites in Block 13 and site No 7 in Block II – Ltr of Extension 8113

(40) Please see flag 'T' for the Representation of Sri A. Nanappa already referred to the Minister for Revenue. The points raised by the petitioner has been dealt with in detail (vide paras 25 to 35).

(41) Whether Govt can interfere with the affairs of the Trust Board as regards disposal of sites in public Auction on certain conditions is a point on which legal opinion is required.

(Ref paras 38, 39).

27/1/56

1118/2

(42) Govt have no power to interfere in this matter. The facts have been explained in detail already

23/2

(Secy Edn 1 Dy)

(43) The pt. raised at para 41 may be examined in the legal side & remarks offered for finalisation on the administrative side.

29.1.56

Land Rfs.)

(44) Having regard to the scope of the Trust Board Act and also in view

EDUCATION SECRETARIAT 23 FEB 1956 GOVERNMENT OF MYSORE

LAW DEPARTMENT 2 MAR 1956 MYSORE GOVERNMENT SECRETARIAT LAW BRANCH

8658 m

12 Disposal of Bungalow Site No 4 in Block I and Site No 7 in Block IV – L.P.W. Extension

8113 Lawsons

of the Estimates and the Bids offered by the Party will finally amount to a contract

~~contract for the plots is concluded~~

~~Govt~~ the Govt. will have no Powers to interfere in the matter

Secretary – L.S.G.) ...

EDUCATION & L.S.G. DEPTT. 18876 9 MAR 1956

OFFICE OF THE MINISTER FOR PUBLIC HEALTH & LOCAL-SELF GOVERNMENT. 12 MAR 1956 No. 5794

45) I agree with the L.S.G.

9.3.56

Minister I&C)

12/3

EDUCATION & L.S.G. DEPTT. 21 ... GOVERNMENT OF MYSORE

46) 20/3/56

24

47) Submitted with a d/o letter to the Chairman as desired approve

24/3

Ms LT/3

48) As the whole file was taken up on the representation of Sri A Hariyappa, I put an endorsement to him & send a copy to the Chairman

7/4

Submitted with a d/o endorsement to Sri A. Hariyappa.

10/4

Issued

8658

Disposal of Bungalow site Nos in Block II/4
and Site No 7 in Block IV - KPW. Extension

Intimating that the proposal is rejected
as Govt do not want to interfere
in the matter -

Issued to Secy Municipality
BSR Commissioner

144 Vehicle register Item 3

L 1046/955 18-55 - 415 dated 18-4-56

copy to the Chairman BTB

L 1047/ 18-4-56

B Leary

2) In view of the fact that no course was open to us to get the sites except by offering bids for them in auction sale as we had become despenate by the loss of our valuable property and

3) in view of the fact that no question of loss to the Trust Board arises in this case as explained above,

4) that so many officers and officials of my status have been shown concessions by granting sites at upset prices as referred to,

5) that cottage site No.7 which is full of rocks has been charged at the rate of Rs.21-9-0 per square yard where as the adjacent rear sites have been charged at Rs.8/- per square yard

6) that site No.4 in block 1, more than ½ portion of which is about 8 to 10 feet lower than the road level has been charged at the rate of Rs.14/- per square yard where as site No.3 which is adjacent to mine and which has been granted to Sri T.Ramaswamy Iyengar, Superintending Engineer, has been charged at the rate of Rs.5/- per square yard,

10. I request that my case may kindly be reconsidered and treated as a special case and reasonable upsept price be fixed for the two sites refer ed to above so that I may arrange to pay up the balance amount or in the alternative one of the sites for which I have offered bids may kindly be granted to me at an upset price, cancelling the sale of the other site. If neither of my request can be granted I request that the sale of the two sites may kindly be cancelled making a token recovery of a few hundred rupees from me for the mistake of having offered bids in public auction as has been done in the case of persons who have refused to take up the sites allotted to them at upset pri

11. As the Trust Board have intimated me that they are going to notify the sites for resale, I request the orders of Government conveyed to the Trust Board in their order No.L.7854-ITB.1-52-157 dated 28-9-54 may kindly be stayed pending reconsideration of my case. I submit that spot inspection will clarify the whole matter and the date of spot inspection

(6)

may kindly be intimated to me so that I may also be present to explain the facts of the case.

Yours faithfully,

Annaiah

12. I beg to bring further facts to the kind notice & consideration of the Honourable Minister for self government

Subsequent to my above representation the city Improvement Trust Board have laid a road in Site No. 4. in Kumara Park extension thus taking a portion of the site which I had previously and for this reason the sale of this site has to be cancelled and thus solves half the problem which is under consideration before government.

with regard to the grant of the other site to me at an upset price (cottage site No. 7) I request that the matter may kindly be referred to the present Trust Board for their opinion in the changed circumstances & government may pass orders thereon afterwards. For which act of kindness I shall ever be grateful to you Sir.

I am
Yours faithfully
Annaiah
Assistant Commissioner
on leave
14/8/35.

7

Copy of letter No.3210/48-49 dated 13th January 1949, from the City Improvement Trust Board, 'Rang Vilas' Sheshadrai Road, Bangalore, to ~~the~~ Sri.A.Mariappa, B.A., Special ~~Amildar~~, Bangalore Taluk.

-:::-

With reference to your letter dated 10-7-1948 requesting that sites Nos.476/1, 476/2, 476/3, 476/5, 476/6, belonging to you in Vyali Kaval area be left out of acquisition, I wish to inform you that the letter was placed before the Board at its Meeting held on 21-12-1948 for consideration.

The Board having considered the same, it was resolved that as the area had been included in Vyali Kaval Extension scheme, your request be rejected.

'COPY'

Copy of letter No.1403/50-51 dated 15th June 1951, from the Chairman, City Improvement Trust Board, Bangalore to Sri A.Mariappa, Amildar, Bangalore South Taluk, Bangalore city.

(9)

-:::-

With reference to your application dated 30-3-1950, requesting for grant of site at upset price in Kumara Park West Extension on the ground that you have been deprived of your sites in Palace Guttahalli consequent on the acquisition for the formation of a lay-out in the area. I wish to inform you that your application wasplaced before the Board for consideration at its meeting held on 29-4-50 when the Board resolved that it was not in favour of grant of any site to you since it was understood that you had several properties in Bangalore.

'COPY'

M. G. S. App. F. G. 3]

MYSORE GOVERNMENT

SECRETARIAT.

(Continuation sheet draft form).

No-L. 6578 / 97B 18-55-70
82/9/55 En 1.
2

(10)

The Chairman, city S.T.B
Bangalore.

Sir,

Subject:- Disposal of site No 4 on Block I Cottage site No 7 on Block IV of Kumara Park West Extension - Representation of Sri A. Mariabba. - BSST Commission

I am directed to enclose a copy of the representation received from Sri A. Mariabba BSST Commissioner (on leave) for a report.

Yours faithfully

25/9

for Secy Edn & L S Depts

Dy 6/9/55

10(a)

No. L. 6578/9TB. 18-55-70

02/9/55 En 1

The

Education & L.S.G.Departments.

To

The Chairman,
City Improvement Trust Board,
Bangalore.

Sir,

Subject:- Disposal of site No.4 in Block I cottage site No. 7 in Block IV of Kumara Park West Extension - Representation of Sri A.Mariyappa, Assistant Commissioner.

-:-

I am directed to enclose a copy of the representation received from Sri A.Mariappa, Assistant Commissioner (on leave) for a report.

Yours faithfully,

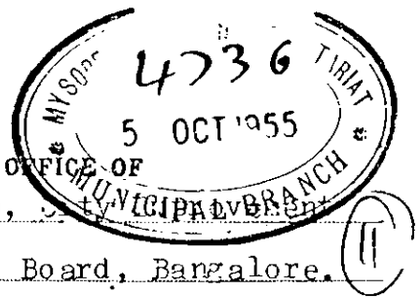
M 1 2/9

(M.A.Meccai)
For Secretary to Government,
Education & L.S.G.Departments.

HGN.2/1/9.

C. F. No. 451

GOVERNMENT OF MYSORE



Telegram / phone

No. A3PR587/55-56
Encls.

The Chairman, City Improvement Trust Board, Bangalore.

Date 4th October 1955.

To

The Secretary to Government, 9TB 18-55-115
Local Self Government and Education Departments,
Bangalore.

Sir,

Subject:- Disposal of Bungalow Site No.4 in Block I and Cottage Site No.7 in Block IV of Kumarapark West Extension.

Representation of Sri A. Mariappa, Assistant Commissioner.

---

1) With reference to your letter No.L.6578/ITB.18-55-70 dated 2-9-55 forwarding a copy of the representation of Sri A Mariappa on the above subject, I write to state as follows:-

2) The representation of Sri A. Mariappa consists of two issues viz., (1) the acquisition of lands belonging to him in Palace Guttahalli, consequent on the formation of Vyalikaval Extension and (2) the purchase of two sites in Kumarapark West Extension in Public Auction by him.

3) As regards the first, an extent of one acre of converted land belonging to Sri A. Mariappa and other Members of his family was acquired by the Board for the formation of Vyalikaval Extension and a compensation of Rs.6/- per Sq.Yd. has been awarded by the Ist Additional District Judge as against a rate of Rs.3,000/- per acre given by the Special Land Acquisition Officer. The Board has admitted and paid a rate at Rs.3/- per Sq.Yd.with the usual statutory allowance and interest, amounting to Rs.21,068-7-0 and the award in excess of this sum has been appealed against in the High Court and the appeal is pending disposal. In the meanwhile the said claimants have also preferred Cross Appeals for a further enhancement of the Compensation to Rs.10/- per Sq.Yd.

P.T.O.

(D)

The decision of the High Court on the subject is pending.

4) Secondly referring to the two sites viz., Bungalow site No.4 in Block I and Cottage Site No.7 in Block IV of Kumarapark West Extension measuring $\frac{76'+108'}{2}$ x 120' and 70 1/6x88¾' respectively, I write to state that Sri Mariyappa purchased these two sites in Public Auction on 26-5-51 for Rs.20,100/- and Rs.15,100/- respectively. Considering the commanding position of ~~these~~ ~~sites~~ and keen demand for those sites in this part of the City and also in view of the good prices which the adjacent sites No.8 and 6 of the IVth Block have fetched to the Trust Board (viz. Rs.14,400/- and Rs.15350/- respectively) his contention that the Board would not loose if these sites are allotted to him on an upset price which works out to Rs.10/- per Sq.Yd. is not tenable. The instances quoted by Mariappa regarding the concessions granted by the Board relate to sites allotted to parties by the Trust Board and there is not a single instance where upset price has been levied in lieu of the amount of bid in an auction sale. As he is an Auction-Purchaser, he is bound by the Auction Rules and Conditions.

5) Next, the newly formed 15 feet road on the Northern side of site No.4 in Block connecting the 3rd Main Road with the Railway Line Road has given additional prominence and advantage to this site and hence the contention of Sri Mariappa that the sale of the Site in Public Auction to him be cancelled

(13)

cannot be considered. In such a case he is only entitled to proportionate reduction, for his land taken by the Trust Board, at the Auction Rate and the cancellation of the site for that reason, therefore, cannot stand. Again the Government was kind enough to give him time on many an occasion for payment of the balance due and even it stayed the Public Sales of the said sites on 4-11-54 and vacated the said Order on 22-8-55 and further ordered ~~as~~ in their No.L. 5974/ITB.18-55-56 dated 22-8-55, to auction the sites concerned forfeiting the earnest deposit, the Party made, and further to hold him liable for the loss; As he has wilfully failed to pay the balance of amount, amounting to Rs.26,401/-, with the accrued interest thereon, though he had much money with him which was paid to him by the Board towards his acquired land and amounting to Rs.21,068/-.

Flag 'X' of Collusion party 18-55, 4, 56, 57

6) This Party just on 29-9-55 has sent a cheque for Rs.1,000/- and requested in his letter dated - - 29-9-55 to permit him to pay the balance of Rs.25,401/- in monthly instalments of Rs.100/-. This cannot be permitted as the Board has already cancelled the sites as per auction rules. So he has no right over the property. As he is always adopting such delaying tactics and as the Board has cancelled the said sites in their resolution passed on 7-9-1951, the request of Sri A. Mariappa at this distance of time cannot, under any circumstances, be conceived as tenable. Therefore, in the end, I state that when the Party is simply adopting several delaying tactics and wilfully disobeying auction rules and the decision of the Board passed on 7-9-51, no more of this undeserving requests could be considered and - - the Trust Board made to incur for the sake of this person ~~never~~ a loss of several thousands of rupees and again

P.T.O

(14)

in pursuance of the ~~above~~ aforesaid Government Order cited ~~above~~ the two sites in question i.e., site No.4 in Block I, with its altered dimensions, and site No.7 in Block IV of Kumarapark West Extension, will be disposed of in Public Auction to be held on 12-10-55; and the said auction sale will be conducted on the said date without fail.

This action of mine may kindly be approved.

Yours faithfully,

(Y.C. Hombalayya)
Chairman
4.10.55

Ksr.

Appendix F. G.—1J

(15)

SUBJECT Disposal of Bungalow site No 4 in Block I and Cottage site No 7 in Block IV of Kumara Park West Extension.

Reference:- Your letter No. A3.PR 587/55-6 dated 4.10.55

Diary No. of letter replied to .....

Mysore Government Secretariat.

( )

the *195*

Date of issue.....

Signed by.....

List of enclosures .....

Copied by.....

Examined by .....

Section ITB.

File No. 18-55

Serial No. 177

No. L. 11433. D. 15-12-55

To The Chairman city I.T.B Bangalore

Sir,

I am directed to request you to intimate what further action is necessary to recover the loss if any from Sri B. Mariappa Consequent on the Cancellation of sites. The amount now realised may also be intimated.

An early reply in the matter is requested.

Yours faithfully,

for Secy Sda & Ld Services Dept

Ry.

No.L. 11433/9 TS. 18-55-17 (16)

D. 15-12-55

The

Education & L.S.G.Departments.

To

The Chairman,
City Improvement Trust Board,
Bangalore.

Sir,

Subject:- Disposal of Bungalow site No.4 in Block I and Cottage site No.7 in Block IV of Kumara Park West Extension.

Reference:- Your letter No.A3.P.R.587/55-56 dated 4-10-1955.

***

I am directed to request you to intimate what further action is necessary to recover the loss if any from Sri A.Mariappa, consequent on the reauction of sites. The amount now realised may also be intimated.

An early reply in the matter is requested.

Yours faithfully,

M. A. Meccai

(M.A.Meccai)
For Secretary to Government,
Education & L.S.G.Departments.

HGN.2/12.12.

6869

C. F. No. 63] **GOVERNMENT OF MYSORE**

(17)

Telegram / phone

No. A3PR784/58-56 / ITB. 18-55-218

Encls.

OFFICE OF

The Chairman, City Improvement Trust Board, Bangalore.

Date 12th December 1955.

15

To

The Secretary to Government,

Local Self Government and Education Departments,

B a n g a l o r e.

16 DEC 1955

Subject:- Disposal of (1) Bungalow Site No.4 in ~~Block~~ Ist Block and (ii) Cottage Site No.7 in Block IV of Kumarapark West Extension in Public Auction.

====

Sir,

(1) With reference to your letters No.L.5974/I.T.B.18-55-56 dated 22-8-1955 and L.8522/I.T.B.11-55-127 dated 11-10-1955 regarding the resale of the two sites referred to above in Kumarapark West Extension in Public Auction holding Sri A. Mariappa, Assistant Commissioner, (the original bidder of the two sites during the auction sales held in 1951) responsible for the loss, I write to state as follows:-

(2) The two sites in question in Kumarapark West Extension were put up for Public Auction on 12-10-1955 after due notification and the same Sri A. Mariappa again offered bids for the two sites (Site No.7 in his own name and Site No.4 in the name of his brother Sri A.MKrishna Murthy). The enclosed statement shows the details of the bids secured at the previous auction sale of 1951 and the recent auction sale held on 12-10-1955 and the consequent loss. It is seen therefrom that the Board has incurred a loss of Rs.9916-2-6 as noted below on account of resale.

1. Total demand for the two sites according to the original auction sale of 1951.	Rs.31,834-13-6
2. Interest due on the balance amount of Rs.23,035-2-6 from 26-6-1951 to 12-10-1955.	5,391--0-0
Total.	37,225-13-6

P.T.O.

(3) Total demand according to ~~and~~ reauction sale held on 12-10-1955. Rs.27,309-11-0

(4) Loss on account of resale 9,916-2-6

(3) In calculating the demand and the interest for the balance amount due in respect of the original auction sale of 1951, proportionate reduction has been effected for the extent of 246 2/3 Sq.Yds. of land taken away by the Board from Bungalow site No.4 in Block I in Kumarapark West for the formation of a new road (15 feet road to connect 3rd main road with Railway Line Road) behind Gandhinagar High School in Kumarapark West Extension thus reducing the dimension of the site from $1x\frac{76+145}{2}$ x120' (1473 1/3 Sq.Yds) to $1x\frac{76+108}{2}$ x120' (1226 2/3 Sq.Yds).

(4) The subject was placed before the Board and having discussed all the aspects of the question the Board at the Meeting held on 16-11-1955 resolved:-

> "That the auction sale of site No.4 in Block I of Kumarapark West measuring $1x\frac{76+108}{2}$ x 120'=1226 2/3 Sq.Yds. and of another site No.2--7 in Block IV of Kumarapark West Extension measuring 70 1/6 x88 3/4' =692 Sq.Yds. bid by Sri A. Mariappa, on his own behalf for site No.7 in Block IV for Rs.12283/-= @ Rs.17-12-0 per Sq.Yd. and on his behalf by Sri A.M. Krishna Murthy, his own brother, for site No.4 in Block I for Rs.15,026-11-0 at Rs.12-4-0 per Sq.Yd. respectively be confirmed."

(5) It was further resolved:-

> "that provided Sri A. Mariyappa pays the balance of Rs.20,479-11-0 in time as per auction rules and also the loss incurred in the Second Public Auction of the above sites and the interest due from him from 26-6-1951 to 12-10-1955 on the sum of Rs.23,035-2-6 both totalling to Rs.9,916-2-6, the forfeiture of the sum of Rs.8,799-11-0 already paid pertaining to the Initial deposits regarding the two sites purchased by him in the Public Auction of 1951 be waived"--
>
> "If the Party Sri A. Mariappa does not pay the amounts due ~~xxxxx~~ within one month from the date of notice to him of the confirmation of the auction sale of -- sites No.4 in Block I and No.7 in Block IV of Kumarapark West Extension, the concessions recommended aboye regarding forfeiture will lapse and the auction rules should be given effect to"

(6) As regards site No.4 in Block I of Kumarapark West Extension it was further resolved:-

> "that the question of sale of the site at upset price as mentioned in Government letter No.L.8522/I.T.B.11-55-127 dated 11-10-1955 does not arise as it had been sold in Public Auction to Sri A.M. Krishna Murthy"

Vide Board resolution No.337/16-11-55.

Plaintiff's Exhibit file 4891

(19)

(7) I request that approval of Government to the resolution of the Board may kindly be obtained and communicated.

Yours faithfully,

(Y.C. Hombalayya)
Chairman.

13.12.55

13/12/55

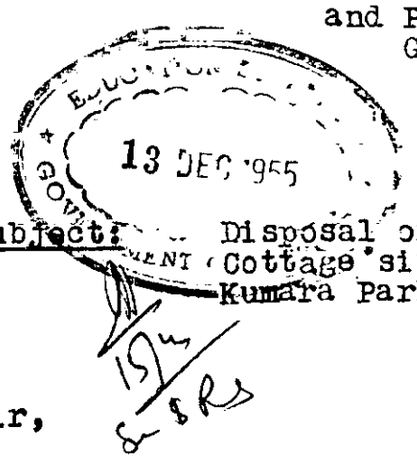
6899

(28)

To

The Minister for Local Self Government
and Public Health Department,
Government of Mysore,
Bangalore.

(L.S.R. Levy)



Subject:- Disposal of site No. 4 in Block I and Cottage site No. 7 in Block IV of Kumara Park West Extension.

Sir,

In continuation of my representation dated 17-8-55 in the matter of disposal of the said sites, I beg to state that the Hon'ble Minister was kind enough to call for a report in the matter of laying a road on site No. 4 and also re-grant of concession in the sale price of site No. 7 referred to above. The Chairman, Bangalore City Improvement Trust Board, instead of placing the matter before the Trust Board and furnishing their opinion on my requests has notified the two sites for public auction on 12-9-1955. A copy of the notification is herewith enclosed for kind perusal.

It will be seen from the notification that site No. 4 which was previously measuring $\frac{76 + 145}{2}$ X 120 or 1470 Sq. Yds has now been reduced to $\frac{76 + 108}{\text{about } 2}$ X 120 or 1220 Sq. Yds. The difference of about 250 Sq. Yds is taken away by the Trust Board for the formation of the road referred to by me, in my representation of the 17th August 1955. A rough sketch of the site before and after the formation of the road is enclosed herewith for kind perusal. The area of land occupied by the road forms the best and elevated portion of my site best suited for building purposes and the area left behind is the worst portion containing a deep pit more than 10 feet in height.

The Chairman has not intimated me the area of land thus occupied by the road and the amount of compensation that he would propose to give for the area taken for the road so that I may arrange to pay the balance of site value to the Trust Board if I agree to the proposal of the Chairman.

I approached the Chairman several times and explained the whole matter to him and also requested him to place the matter before the Board for their kind consideration and also my difficulties about the payment of the huge amount of balance of purchase value of sites and requested him not to notify the sites for sale. The Chairman was not kind enough to comply with my request.

In this connection it may not be out of place to mention that a sum of more than Rs 20,000/- is due to me by the Trust Board being the amount of compensation for our sites according to the judgment of the Additional District Judge, which case is pending before the High Court.

I have paid a sum of Rs 6,300/- yesterday being a portion of the balance of purchase value of sites to the Trust Board and requested for grant of time till the case before the High Court is finally settled. I have also undertaken to pay in the meanwhile monthly instalments of Rs 100/- each. Inspite of all these things, the Chairman was not kind enough to comply with my request and has notified the two sites for sale. As I will be put to irreparable loss and myself and my family will be ruined if the sales are held I request that the sales of the two sites ordered by the Chairman may kindly be ordered to be stayed pending further orders of Government in the matter.

With regards.

Yours faithfully,

A. Mariappa

6-9-1955

A. Mariappa
Assistant Commissioner,
144 Nehru.Nagar,
Bangalore 3.

THE BANGALORE CITY IMPROVEMENT TRUST BOARD.

AUCTION SALE
OF

Valuable Bungalow sites at Kumarapark West Extension of the following Dimensions.

Site No	Block No	Dimensions (approximate)
4	1	$\frac{76'+108'}{2}$ x120
2I	1	79¾'x120'
22	1	–Do–
7	4	70⅛'x88¾'

Will be held

ON WEDNESDAY THE 12th OCTOBER 1955

At 9-30A.M.

ಬೆಂಗಳೂರು ಸಿಟಿ

ಕುಮಾರಾಪಾರ್ಕ್ ಬಡಾವಣೆಯಲ್ಲಿ

ಮೇಲ್ಕಂಡ ೪ ಬಂಗಲೆ ಸೈಟುಗಳ

ಹರಾಜು

೧೯೫೫ ನೇ ಅಕ್ಟೋಬರ್ ೧೨ ನೇ ತಾರೀಖು ಬುಧವಾರ

ದಿವಿ ೯-೩೦ ಘಂಟೆಗೆ ಪ್ರಾರಂಭ

(Please see over leaf for conditions)

Panchajanya Press, Bangalore-3.

CONDITIONS OF SALE

1 The Chairman Trust Board reserves to himself the right to accept or refuse any bid without assigning any reasons.

2 The sale is subject to the confirmation of the Bangalore City improvement Trust Board.

3 The Chairman may fix the amount by which the successive bids may be raised.

4 The purchaser whose bid is accetod shall deposit 25 percent of the amount of his bid at once on the spot and the balance shall be paid within one month from the date of confirmation of sale, in default of which the deposit made by him shall be forfeited and the site, re sold at the risk of the purchaser.

5. If the purchaser fails to comply with the above conditions to which the purchaser shall be deemed to have agreed the Chairman, City Improvement Trust Board, may resume the site and take possession of it with any constructions then standing thereon. He may then resell the same by public auction or reallot the same to any other person at such price as he may determine. After dafraying thet expenses of such resale 25 percent of such realisation will be forfeited to the City Improvement Trust Board and the balance alone will be payable to the Purchaser or other person entitled to receive such balance.

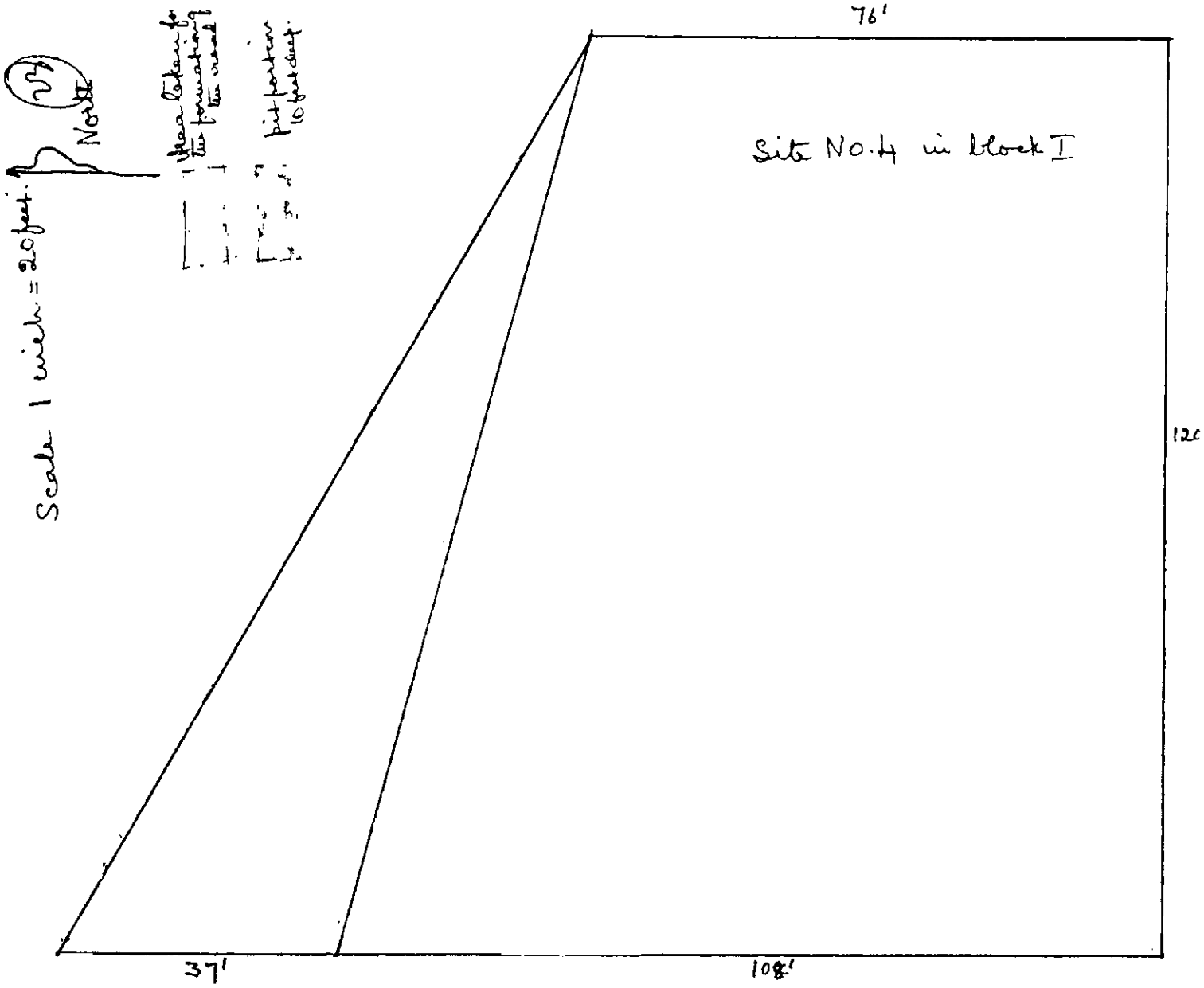
6. The site which has been designed as a unit shall not be allowed to be split up into two or more house sites on any condition.

7. A title deed will do given at the cost of the purchaser and title deemed to be confirmed to the original purchaser only on production of paper stamped in accordance with the provisions of Mysore Stamp Act and only after the building has been completed complying with all the conditions above stated. Till then he will have possession subject to the conditions above.

8. The Description and dimensions of sites noted in the schedule are to be treated as only approximate and sudject to correction as per actual measurements

Further particulars if any required can be had in the office.

(Sd) Y.C.HOMBALAYYA.
Chairman.


Scale 1 inch = 20 feet.
North
Site No. 4 in block I
76'
120
37'
108'

GOVERNMENT SECRETARIAT
2423
6 JAN 1956
MUNICIPAL BRANCH

To

The Minister for Public Health & Local Self Government,

Bangalore. (24)

OFFICE OF THE MINISTER FOR PUBLIC HEALTH & LOCAL-SELF GOVERNMENT.
5 - JAN 1956
No 4595

Sir,

Sub.- Disposal of site No.4 in Block I and cottage site No.7 in Block IV of Kumara Park Extension.

- - -

The Comm's addressed to Secy: therefore Deputed the Secy was on leave the letter addressed to Minister

With reference to endorsement No.L.5972/I.T.B.18-55-57 dated 22-8-1955 of the Secretary to the Government of Mysore, Education and Local Self Government Department, Bangalore, informing me that there are no reasons to interfere with the orders already passed and also vacating the stay order already issued in the matter, I beg to state that I had submitted a representation on 17-8-1955 stating that a road had been laid by the Trust Board taking away the best portion of site No.4, referred to above and for that reason the sale of that site was liable to be cancelled and this fact does not seem to have been considered at all though the Hon'ble Minister for Public Health was kind enough to call for a report in the matter. This matter was also brought to the notice of the Chairman, Bangalore City Improvement Trust Board on 26th August 1955 through another representation and it had no effect.

As soon as the stay order was vacated by Government and intimation of the same was sent to the Trust Board, the usual procedure that the Trust Board should have followed was to issue an endorsement to me demanding the payment of the amounts due from me on each site and if I had not paid the amount within the prescribed time, it was up to the Trust Board to have taken action for the resale of the sites, forfeiting the initial deposits paid by me. Instead of following the usual procedure, the Trust Board has straight away and all of a sudden put up for auction cottage site No.7 with the same dimensions as it existed before and site No.4 with reduced dimensions viz. $\frac{76+108}{2}$ x 120 or 1220 sq. yds. on 12-10-1955, as site No.4 with the previous dimensions viz. $\frac{76+145}{2}$ x 120 or 1470 sq. yds. was not at all in existance from July 1955 (as a road had already been formed in the site in the month of July 1955). A sketch of the site is enclosed for kind perusal. The difference in area between the two measurements shows the area occupied by the road.

In perusal the Minister

P.A to Secy

Lsa Secy

5 JAN 1956

The unusual procedure that the Trust Board followed in my case has caused a great damage to me in so far as I could not come to know what extent of land in site No.4 was taken away for the formation of the road and what amount the Trust Board would reduce for the portion acquired for the formation of the road and what was the amount I had to pay. The Trust Board could have intimated me of the fact at least after I presented a letter to them on 26-8-1955 or when Government called for a report in the matter.

As site No.4 with its previous dimensions was not at all in existance from July 1955, the previous sale of that site held in 1951 was liable to be cancelled and the initial deposit paid by me in respect of that site viz. Rs.5,025/- should have been at my credit with the Trust Board. When the two sites were put up for auction and when the Trust Board Chairman, did not comply with my request for grant of time for payment of the balance of purchase value, with great difficulty I paid Rs.6,300/- by two cheques making up in all Rs.15,100/- (Rs.3775/- initial deposit in respect of site No.7 plus Rs.5025/- which remained at my credit with the Trust Board referred to above, and Rs.6,300/- referred to)

(25)

and requested the Chairman to adjust the entire sum towards the full purchase value of site No.7 and stop the sale of that site. As I had thus paid the full purchase value of site No.7, the Trust Board Chairman could have stopped the sale of that site at least. But the Chairman has conducted the sale of both the sites on 12th October 1955.

As I had already paid heavy sums towards the purchase of these sites and as I thought that complications would arise if other people were to purchase these sites though I had paid full value of one site, I offered bids again and have purchased both the sites, Site No.7 at Rs.17-12-0 per sq. yd. or Rs.12,283/- and site No.4 with reduced dimensions at Rs.12-4-0 per sq. yd. or Rs.15,018/- and have paid the initial deposits by cheques Rs.3070/- and Rs.3760/- respectively. Inclusive of the amount forfeited by Government, I have paid so far Rs.15,630/- and according to the recent sales, I have yet to pay Rs.11,671/- if I were to be exhonerated from loss on account of resale.

As Government are aware, the members of my family have been dispossessed of several valuable building sites by the Trust Board and we are entitled to certain concessions from the hands of the Trust Board and hence I request that I may kindly be shown the following concessions.-

1. (a) If both the sites cannot be granted to me at an upset price, at least site No.7 may kindly be granted to me at a reasonable upset price, site No.4 being reserved by Government for being disposed of otherwise,

O R

(b) Site No.7 may be confirmed in my name at the sale price it fetched on 12-10-1955, site No.4 being granted to me at a reasonable upset price,

O R

(c) Site No.7 and site No.4 may be confirmed to me at the sale price they fetched on 12-10-1955 absolving me from all other liabilities.

2. The order of forfeiture passed by Government may kindly be ordered to be raised and the said amount be ordered to be adjusted towards the purchase value of sites.

3. As the balance of sale amount yet to be paid is very large, I request that I may kindly be permitted to pay the same in monthly instalments of Rs.200/- a month or moiety of my pay, till such time as the balance of compensation due to me by the Trust Board is settled in the High Court.

I request that the above may kindly be inspected & I may kindly be heard before any orders are passed in the matter.

Yours faithfully,

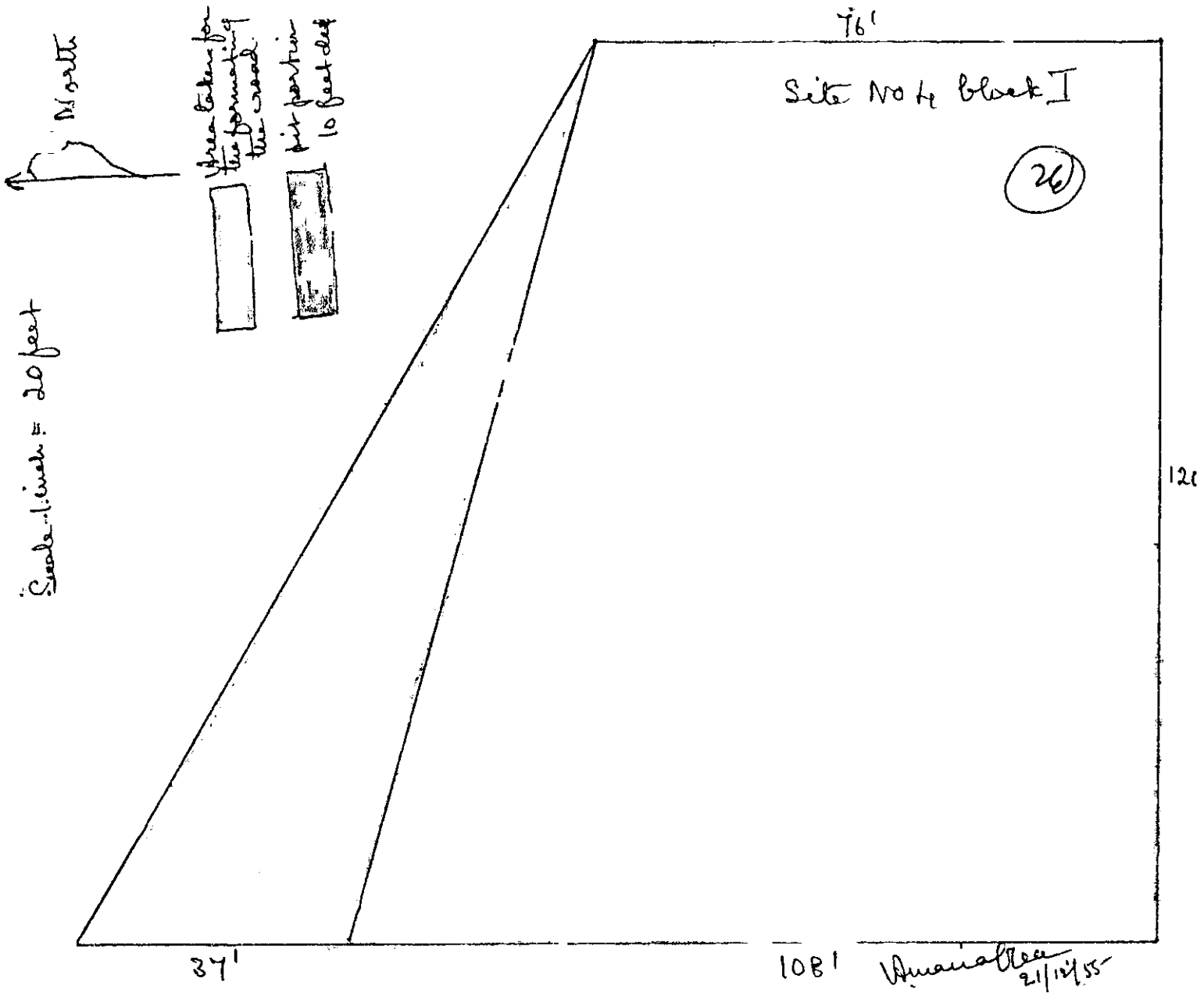
A.Mariappa 21/12/55

(A.Mariappa)
Personal Assistant to the Director of Medical Services in Mysore, Bangalore

Bangalore,

7th December 1955.

21


North
Area taken for the formation of the road.
Pit portion 10 feet deep
Scale-1 inch = 20 feet
76'
Site No 4 block I
(20)
120
37'
108'
21/12/55

MYSORE GOVERNMENT SECRETARIAT
8699
15 FEB 1956
MUNICIPAL BRANCH

(25)

To

The Minister for Public Health & Local Self Government,

Bangalore.

EDUCA... 13 F...

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The unusual procedure that the Trust Board followed in my case has caused a great damage to me in so far as I could not come to know what extent of land in site No.4 was taken away for the formation of the road and what amount the Trust Board would reduce for the portion acquired for the formation of the road and what was the amount I had to pay. The Trust Board could have intimated me of the fact at least after I presented a letter to them on 26-8-1955 or when Government called for a report in the matter.

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(28)

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the spot may kindly be inspected

I request that I may kindly be heard before any orders are passed in the matter.

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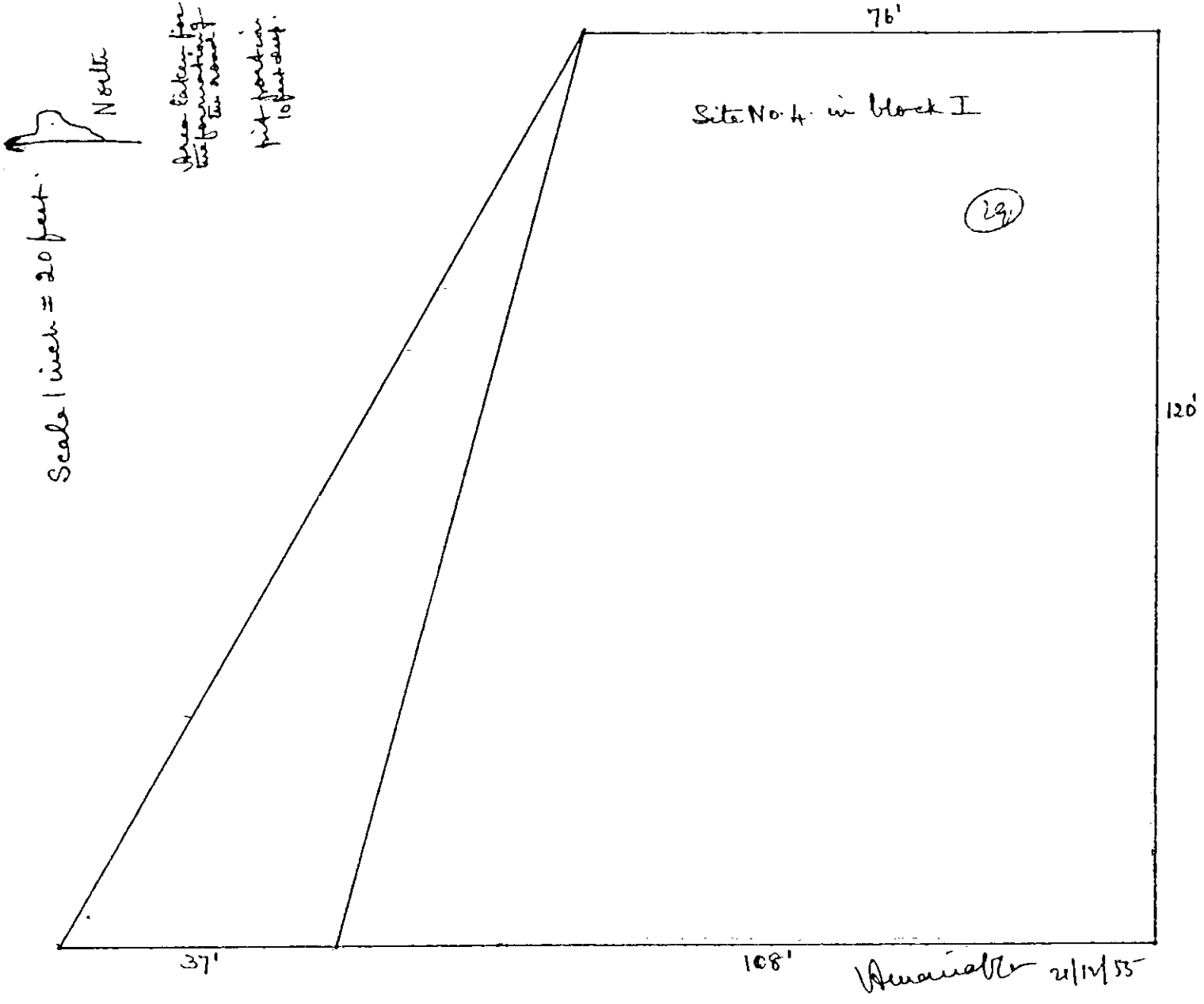
A.Mariappa 12/12/55

(A.Mariappa)
Personal Assistant to the Director of Medical Services in Mysore, Bangalore

Bangalore,

7th December 1955.


North
Scale 1 inch = 20 feet.
Site No. 4 in block I
76'
120'
37'
108'

Appendix F. G.—1]

30

SUBJECT Disposal of (i) Bungalow site no 4 in 1st Block and (ii) Cottage site no 7 in Block IV of K.R.W. Extension in Public Areas.

Diary No. of letter replied to .....

Section ITB

File No. 18-55

No. L.1046 / D 18-4-56. Serial No. 415

Mysore Government Secretariat.

( )

the *195*

Endorsement

No. 20

To Sri A. Mariappa
Assistant Commissioner
14th Urban ward
Bangalore 3

Date of issue.....

Signed by.....

With reference to his dated 14 8/55, 6-9-55, 21-12-55 marginally noted representation on the above subject he is informed that as Govt do not want to interfere ~~in the matter~~ the matter has been referred to the Chairman BTS for taking such action as the Board deems fit.

14/1

for Secy Estate Officer

Dy/Regd D.18-4-56

NO.L.1046.

List of enclosures .....

Copy to the Chairman BTS for info with ref. to his ~~Telegram No. A3 PR 784/55-6 dated 12/15.12.1955~~ ~~on the subject of the circumstances~~ that the bids offered by Sri A. Mariappa will invariably amount to a Contract Govt do not want to interfere in the matter.

Copied by.....

Examined by .....

WD 0257—GPB—P.Z.S.—1,20,000—6-6-55

for Secy Estate Officer

Dy/Regd

GOVERNMENT OF MYSORE

31

No. L.1046/9TR. 18-55-415 **Mysore Government Secretariat,**

Dated, Bangalore, 18-4-1956.

ENDORSEMENT.

To

Sri A. Mariappa,
Assistant Commissioner,
144, Nehru Nagar, Bangalore-3.

Sub:- Disposal of (i) Bungalow site No.4 in 1st Block and
(ii) Cottage site no.7 in Block IV of
Kumara Park West Extension in
Public Auction.

With reference to his representations dated 14-8-1955, 6-9-1955, and 21-12-1955, on the above subject, he is informed that his petition has been rejected as Government do not want to interfere in the matter and as the bids offered by him will virtually amount to a contract with the Trust Board.

sd/-

(V.HANUMANTHAPPA)
forSecretary to Government,
Education & LSG Departments.

bws:17.4.

Memo No.L. 1047 Dt 18-4-56

Copy of the above Endorsement is forwarded to the Chairman, City Improvement Trust Board, Bangalore, for information with reference to his letter No.A3.PR.784/55-6 dated 12/15-2-1955.

M.A. Meccai

(M.A.Meccai)
for Secretary to Government,
Education & LSG Departments.

BANGALORE CITY IMPROVEM NT TRUST BOARD

AUCTION SALE

OF

Valuable Bungalow site at Oakalipuram Extension near City Railway Station of the following Diemensions.

1) $\frac{60' + 54'}{2} \times 100' = 1$

2) $60' \times 100' = 3$

3) $60' \times \frac{96' + 100'}{2} = 1$

4) $60' \times 96' = 1$

5) $\frac{70' + 50'}{2} \times 96' = 1$

ON THURSDAY THE 18th AUGUST 1955 AT 9 A.M.

ಬೆಂಗಳೂರು ಸಿಟಿ ರೈಲ್ವೆ ಸ್ಟೇಷನ್ ಜಳಿ ಇರುವ

ಓಕಳೀಪುರಂ ಬಡಾವಣೆಯಲ್ಲಿ

ಮೇಲ್ಕಂಡ ೭ ಬಂಗಲೆ ಸೈಟುಗಳ

ಹ ರಾ ಜು

1955ನೇ ಆಗಸ್ಟ್ 18ನೇ ತಾರೀಖು ಗುರುವಾರ ದಿವಿ

9 ಘಂಟೆಗೆ ಪ್ರಾರಂಭ

(Please see over leaf for conditions)

Dayananda Power Press

CONDITIONS OF SALE

1. The Chairman Trust Board reserves to himself the right to accept or refuse any bid without assigning any reasons.

2. The sale is subject to the confirmation of the Bangalore City Improvement Trust Board.

3. The Chairman may fix the amount by which the successive bids may be raised.

4. The purchaser whose bid is accepted shall deposit 25 per cent of the amount of his bid at once on the spot and the balance shall be paid within one month from the date of confirmation of sale, in default of which the deposit made by him shall be forfeited and the site, resold at the risk of the purchaser.

5. If the purchaser fails to comply with the above conditions to which the purchaser shall be deemed to have agreed, the Chairman, City Improvment Trust Board, may resume the site and take possession of it with any constructions then standing thereon. He may then resell the same by public auction or reallot the same to any other person at such price as he may determine. After defraying the expenses of such resale, 25 per cent of such realisation will be forfeited to the City Improvement Trust Board and the balance alone will be payable to the purchaser or other person entitled, to receive such balance.

6. The site which has been disigned as a unit shall not be allowed to be split up into two or more house sites on any condition.

7. A title deed will be given at the cost of the purchaser and title deemed to be conferred to the original purchaser only on production of paper stamped in accordence with the provisions of Mysore Stamp Act and only after the building has been completed complying with all the conditions above stated. Till then he will have possession subject to the conditions above.

8. The Description and dimensions of sites noted in the schedule are to be treated as only approximate and subject to correction as per actual measurements.

Further particulars if any required can be had in the office.

(Sd) Y. C. HOMBALAYYA,

Chairman.